

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN**

In re:

Chapter 13

Jakki Campbell,  
fka Jacquelyn L. Simmons,

Debtor

Case No. 14-25926-mdm

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**RESPONSE OF THE BANK OF NEW YORK MELLON FKA THE BANK  
OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE  
CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2006-24  
TO THE DEBTOR'S OBJECTION TO MOTION  
FOR RELIEF FROM THE AUTOMATIC STAY**

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The Bank of New York Mellon fka The Bank of New York, as Trustee for the Certificateholders of the CWABS, Inc., Asset-Backed Certificates, Series 2006-24, its successors, and/or assignees (hereinafter collectively, and at all times material hereto, "the movant"), by its attorneys, Cummisford, Acevedo & Associates, LLC, responds as follows:

1. On June 27, 2014, the debtor, Jakki Campbell, was approved for a loan modification under the National Mortgage Settlement Modification Program. Per the terms of the modification offer, the debtor was to make three (3) monthly trial payments due by August 1, 2014, September 1, 2014 and October 1, 2014.

2. On July 8, 2015, the debtor notified the movant's servicer, Specialized Loan Servicing LLC, that she chose not to accept that offer.

3. On July 15, 2015, the movant's servicer forwarded the attached denial letter for modification under the National Mortgage Settlement Modification Program.

**Drafted by:**

Michael Acevedo  
Cummisford, Acevedo & Associates, LLC  
7071 S. 13<sup>th</sup> Street, Suite 100  
Oak Creek, WI 53154  
Phone: 414-761-1700  
Fax: 414-761-3550

4. That on October 28, 2015, the debtor filed her objection to motion for relief from the automatic stay. The debtor requested a supplemental claim for the past due post-petition arrearage. The October 2015 and November 2015 mortgage payments are each \$726.71.

5. That the movant believes that the plan would likely not be feasible. A supplemental claim of \$9,142.29, which is the post-petition arrearage due through the end of November 2015, plus the pre-petition arrearage of \$47,420.38, would equate to a \$56,562.67 claim to be paid by the trustee.

WHEREFORE, the movant requests that the automatic stay as it pertains to the debtors and the encumbered real property be terminated pursuant to §362(d) of the Bankruptcy Code so that the movant may protect, exercise and enforce its rights pursuant to said note and mortgage, that the trustee be ordered to abandon the estate's interest in the property pursuant to §554(b) of the Bankruptcy Code, that the provisions of Federal Rule of Bankruptcy Procedure 3002(1) be waived and deemed inapplicable to the movant upon the Court signing a relief order, that any order entered pursuant to this motion shall be effective immediately upon its entry and for such further relief as may be just and equitable.

Dated at Oak Creek, Wisconsin this 1<sup>st</sup> day of November, 2015.

Cummisford, Acevedo & Associates, LLC  
Attorneys for The Bank of New York  
Mellon fka The Bank of New York, as  
Trustee for the Certificateholders of the  
CWABS, Inc., Asset-Backed Certificates,  
Series 2006-24.

/s/ Michael Acevedo

Michael Acevedo, #1022634

Pursuant to the Fair Debt Collections Practices Act (15 U.S.C. Section 1692), we are required to state that we are attempting to collect a debt on our client's behalf, and any information we obtain will be used for that purpose.



8742 Lucent Boulevard ■ Suite 300 ■ Highlands Ranch, CO 80129

800-306-6059

July 15, 2015

JAKKI CAMPBELL

2540 N 14TH ST  
MILWAUKEE, WI 53206

RE: Loan Number:  
Property Address:  
2540 N 14TH ST  
MILWAUKEE, WI 53206

**THIS IS FOR INFORMATIONAL PURPOSES ONLY. THIS COMMUNICATION IS FROM A DEBT COLLECTOR.**

Dear JAKKI CAMPBELL,

Specialized Loan Servicing LLC ("SLS") has conducted a review of your application submitted for a foreclosure prevention option.

Below is a list of the foreclosure alternatives you were evaluated for and the result of each:

Unfortunately, we are unable to offer you a Retention option at this time. You may qualify for another program. Please see the Change of Intent Form attached for additional details about the other foreclosure prevention options available.

- **National Mortgage Settlement Modification Program - Denied**
  - We have offered you a property retention option. On 07/08/2015 you notified us that you did not choose to accept that offer.

**Second Independent Review of Modification Denial**

If the property is your primary residence and this is your first evaluation, you have the right to request a second independent review to determine your eligibility for a loan modification. To request a second review you must send us your request in writing which must be received by us no later than August 14, 2015. Please include a copy of this letter with your request including any supporting documentation. If the property is your primary residence, this is your first evaluation and your request is received in the disclosed time frame, we will not initiate or continue with foreclosure during the review process. Your written request must either be mailed or faxed to us as follows:

Mail	Fax
Specialized Loan Servicing LLC P.O. Box 636005 Littleton, CO 80163	<b>1-720-241-7218</b> (Page limit per transmission is 25 pages)

Setting the Standard  
[www.sls.net](http://www.sls.net)



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■ 800-306-6059

ENCLOSURES:

- Change of Intent Form and additional information on foreclosure prevention options.

The requirements for this evaluation were set forth and performed in accordance with the Pooling and Servicing Agreement between Specialized Loan Servicing LLC and The Bank of New York Mellon FKA The Bank of New York, as Trustee for the certificateholders of the CWABS, Inc., ASSET-BACKED CERTIFICATES, SERIES 2006-24.

If you have questions concerning this letter or need further assistance, you may contact me or our Customer Resolution Department at 1-800-306-6059 Monday through Friday, 6:00 a.m. until 9:00 p.m. MT, Saturday 6:00 a.m. until 12 p.m. MT or TDD 1-800-268-9419 Monday through Friday, 8:00 a.m. until 5:00 p.m. MT.

If you have other questions about foreclosure prevention alternatives that cannot be answered by us, please call the Homeowner's HOPE™ Hotline at 1-888-995-HOPE (4673). This Hotline can help with questions about the program and offers access to free HUD-certified counseling services in English and Spanish.

Sincerely,

Tricinda, 11291  
Customer Resolution Department  
Specialized Loan Servicing LLC

**SPECIALIZED LOAN SERVICING LLC IS REQUIRED BY LAW TO INFORM YOU THAT THIS COMMUNICATION IS FROM A DEBT COLLECTOR. HOWEVER, THE PURPOSE OF THIS COMMUNICATION IS TO OFFER YOU LOSS MITIGATION ASSISTANCE THAT MAY HELP YOU BRING OR KEEP YOUR LOAN CURRENT THROUGH AFFORDABLE PAYMENTS. IF YOU ARE CURRENTLY IN A BANKRUPTCY PROCEEDING OR HAVE PREVIOUSLY OBTAINED A DISCHARGE OF THIS DEBT UNDER APPLICABLE BANKRUPTCY LAW, THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT AN ATTEMPT TO COLLECT THE DEBT, A DEMAND FOR PAYMENT OR AN ATTEMPT TO IMPOSE PERSONAL LIABILITY FOR THAT DEBT. YOU ARE NOT OBLIGATED TO DISCUSS YOUR HOME LOAN WITH US OR ENTER INTO A LOAN MODIFICATION OR OTHER LOAN-ASSISTANCE PROGRAM. YOU SHOULD CONSULT WITH YOUR BANKRUPTCY ATTORNEY OR OTHER ADVISOR ABOUT YOUR LEGAL RIGHTS AND OPTIONS. IF YOU HAVE QUESTIONS, PLEASE CONTACT US AT 1-800-306-6057.**

**Federal ECOA Notice**

The Federal Equal Credit Opportunity Act prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, or age (provided that the applicant has the capacity to enter into a binding contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The federal agency that administers compliance with this law concerning this creditor is Bureau of Consumer Financial Protection, 1700 G Street NW., Washington DC, 20552.

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### **Important Notice To Servicemembers And Their Dependents**

If you or any occupant of your home are or recently were on active duty or active service, you may be eligible for benefits and protections under the federal Servicemembers Civil Relief Act (SCRA). This includes protection from foreclosure or eviction. You may also be eligible for benefits and protections under state law or investor policy. SCRA and state Military benefits and protections also may be available if you are the dependent of an eligible Servicemember.

Eligible service may include:

- Active duty with the Army, Navy, Air Force, Marine Corps, or Coast Guard, or
- Active service as a commissioned officer of the National Oceanic and Atmospheric Administration, or
- Active service as a commissioned officer of the Public Health Service, or
- Service with the forces of a nation with which the United States is allied in a war or Military action, or
- Service with the National Guard of a state militia under a state call of duty, or
- Any period when you are absent from duty because of sickness, wounds, leave, or other lawful cause.

For more information, please call SLS at 1-800-306-6059.

### **FCRA Disclosure**

Our credit decision was based in whole or in part on information obtained in a report from the consumer reporting agency listed below. You have a right under the Fair Credit Reporting Act to know the information contained in your credit file at the consumer reporting agencies. The reporting agency played no part in our decision and is unable to supply specific reasons why we have denied credit to you. You have a right to receive a free copy of your report from these reporting agencies, if you request it no later than 60 days after you receive this notice. In addition, if you find that any information contained in the report you receive is inaccurate or incomplete, you have the right to dispute the matter with the applicable reporting agency by contacting that agency at the number provided below:

Equifax: P.O. Box 740241  
Atlanta, GA 30374-0241  
1-800-685-1111

We also obtained your credit scores from the consumer reporting agencies and used them in making our credit decision. Your credit score is a number that reflects the information in your credit report. Your credit score can change, depending on how the information in your credit report changes.

Your credit score:

Date: 7/9/2015

Scores range from a low of 280 to a high of 850.

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800-306-6059

### Foreclosure Prevention Change of Intent Form

RE: Loan Number:

If you would like to be considered for other foreclosure prevention options and are willing to change your intent with the property, please mark your new intent with the subject property below (Please only select one):

Intent Selection (SELECT ONE)	Description	Additional Detail
<input type="checkbox"/> I would like to keep the property. I no longer wish to sell the property or complete a deed-in-lieu of foreclosure.	<b>Retain Property:</b> Options may include a repayment plan to pay back your past due payments or modification to create a more affordable payment.	No other documents will be required if all income documents provided are valid and dated within 90 days. We will notify you if your documentation has become outdated or if we need additional information.
<input type="checkbox"/> I would like to sell my home. I no longer wish to keep the property or complete a deed-in-lieu of foreclosure.	<b>Short Sale:</b> Sell your home and pay off a portion of your mortgage balance when you owe more on the home than it is worth.	By selecting this option you will need to provide the following documentation in order to consider the request: <ul style="list-style-type: none"><li>• Valid Listing Agreement</li><li>• A market value offer and documentation to support the offer, including; Executed Sales Contract, Proposed HUD-1 and Buyer Proof of Funds or Qualification.</li><li>• Access for an interior valuation.</li><li>• You may also be required to provide offer approval from any additional lien holders on the property, where applicable.</li></ul>
<input type="checkbox"/> I would like to deed my property back to the investor. I no longer wish to sell the property or keep the property.	<b>Deed-in-Lieu:</b> Transfer the ownership of your property to us.	By selecting this option we will need to obtain the following in order for us to consider the request: <ul style="list-style-type: none"><li>• Clear and Marketable Title.</li><li>• Access for an interior inspection.</li></ul>

**Borrower Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Please return this completed and signed form via one of the following:

Mail	Fax	Secure Email	Secure Web
8742 Lucent Blvd, Suite 300 Highlands Ranch, CO 80129	1-720-241-7526 (Page limit per transmission is 25 pages)	<a href="mailto:crdocs@sls.net">crdocs@sls.net</a>	<a href="http://www.sls.net">www.sls.net</a>

This form and any supporting documentation must be submitted at least 37 days before a scheduled foreclosure sale to be considered.

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